

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1, 3 and 5-7 are pending in this application. Claims 1 and 3 are amended and claim 10 has been cancelled. Claims 1 and 3 are the independent claims.

Claim Objections

Claim 7 is objected to for minor informalities. Applicants have amended claim 7 accordingly, and therefore, withdrawal of the objection to claim 7 is respectfully requested.

Rejections under 35 U.S.C. § 112, First Paragraph

Claims 1, 3 and 5-7 stand rejected under 35 U.S.C. § 112, first paragraph, because the specification while being enabling for treating lupus in humans or tail and mane eczema in horses, does not reasonably provide enablement for treating multiple sclerosis, rheumatoid arthritis, rheumatism, osteoporosis and asthma in humans. According to the Examiner, the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to practice the invention commensurate in scope with these claims. Applicants respectfully disagree.

However, in order to advance prosecution, Applicants have amended independent claims 1 and 3 to recite "a kit comprising". Applicant's representative Erin G. Hoffman, Reg. No. 57,752, contacted Examiner Mi on August 9, 2010 to confirm that the claims would be allowable if amended as such barring any new art found in a further search.

The Applicants, therefore, respectfully request that the rejection to Claims 1, 3 and 5-7 under 35 U.S.C. § 112, first paragraph, be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

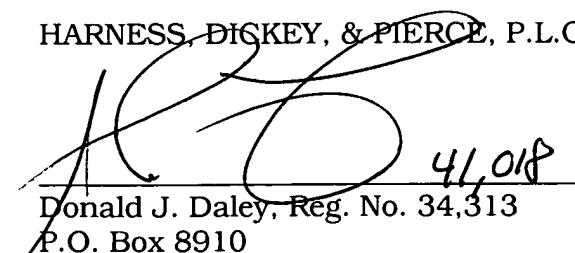
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Erin G. Hoffman, Reg. No. 57,752, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By


Donald J. Daley, Reg. No. 34,313
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

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